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APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

May U.S.D.J. 5/23/2017

**VIA ECF**

Honorable Vernon S. Broderick  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

The conference currently scheduled for June 23, 2017 is adjourned until August 25, 2017 at 11:30 a.m. To the extent that either party contemplates filing a dispositive motion, pre-motion letters are to be submitted by August 14, 2017.

Re: *Chowdhury, et al. v. Brioni, et al*  
Case No.: 16-CV-344 (VSB) (HBP)

Dear Judge Broderick:

This firm represents Defendants in the above matter. The deadline to complete discovery is currently June 1, 2017. We write to request a sixty (60) day extension of the discovery deadline through and including August 1, 2017. By virtue of this request for an extension on the current discovery deadlines, we also seek an adjournment of the Pretrial Conference currently scheduled for June 23, 2017 at 12:30 p.m. until August 23, 2017 at 12:30 p.m. or another date thereafter that is mutually convenient for the parties and the Court. This is the parties' first request for an extension of the discovery deadlines and it is jointly made with Plaintiffs' consent.

The parties have engaged in substantial discovery, including exchange of written discovery and the production of documents. The Plaintiff has taken the deposition of defendant, Denny Cruz. However, due to conflicts in the schedules of counsel for the parties and the parties themselves, Defendants have been unable to proceed with Plaintiffs' depositions and Plaintiffs have been unable to proceed with the deposition of Brioni's Human Resources Manager. The parties will be unable to complete depositions prior to June 1 because of the holiday and vacation schedules of counsel. Additionally, Defendants have served a subpoena on its third party payroll providers to obtain certain time records, but has not yet received an adequate response to date despite diligent efforts. As such, a sixty day (60) extension would allow for the completion of discovery without prejudicing either party.

Honorable Vernon S. Broderick

May 19, 2017

Page 2

Thank you for your consideration and courtesy with regard to this request.

Respectfully submitted,

*/s/ Francis J. Giambalvo*

Francis J. Giambalvo

cc: All Counsel of Record (via ECF)